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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

06/21/01  
J1033 U.S. PTO

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
G&C 129.18USD1	536	023,100	Gary B. Nickol	1642

J1033  
09/887593  
06/21/01

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL815952883US

Date of Deposit: June 21, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

By: *Isabell Ogata*  
Name: Isabell Ogata

## DIVISIONAL APPLICATION UNDER 37 C.F.R. §1. 53(b)

## BOX PATENT APPLICATION

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a Divisional application under 37 CFR § 1.53(b) of Serial No. 09/374,135, filed on August 10, 1999 entitled "BPC-1: A SECRETED BRAIN-SPECIFIC PROTEIN EXPRESSED AND SECRETED BY PROSTATE AND BLADDER CANCER CELLS" by the following inventor(s):

(1)	Full Name Of Inventor	Family Name AFAR	First Given Name Daniel	Second Given Name E.
	Residence & Citizenship	City Brisbane	State or Foreign Country California	Country of Citizenship CANADA
	Post Office Address	Post Office Address 435 Visitacion Avenue	City Brisbane	State & Zip Code/Country California 94005/U.S.A.
(2)	Full Name Of Inventor	Family Name HUBERT	First Given Name Rene	Second Given Name S.
	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship CANADA
	Post Office Address	Post Office Address 1503 Westerly Terrace	City Los Angeles	State & Zip Code/Country California 90026/U.S.A.
(3)	Full Name Of Inventor	Family Name LEONG	First Given Name Kahan	Second Given Name
	Residence & Citizenship	City Playa del Rey	State or Foreign Country California	Country of Citizenship U.S.A.
	Post Office Address	Post Office Address 8160 Manitoba Street No. 109	City Playa del Rey	State & Zip Code/Country California 90293/U.S.A.
(4)	Full Name Of Inventor	Family Name RAITANO	First Given Name Arthur	Second Given Name B.
	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship U.S.A.
	Post Office Address	Post Office Address 10807 Cushdon Avenue	City Los Angeles	State & Zip Code/Country California 90064/U.S.A.

(PTO TRANSMITTAL - FILING UNDER 37 CFR 1.53(b))

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(5)	<b>Full Name Of Inventor</b>	<b>Family Name</b> SAFFRAN	<b>First Given Name</b> Douglas	<b>Second Given Name</b> C.
	<b>Residence &amp; Citizenship</b>	<b>City</b> Los Angeles	<b>State or Foreign Country</b> California	<b>Country of Citizenship</b> CANADA
	<b>Post Office Address</b>	<b>Post Office Address</b> 11720 Bellagio Road No. 204	<b>City</b> Los Angeles	<b>State &amp; Zip Code/Country</b> California 90049/U.S.A.
(6)	<b>Full Name Of Inventor</b>	<b>Family Name</b> JAKOBOVITS	<b>First Given Name</b> Aya	<b>Second Given Name</b>
	<b>Residence &amp; Citizenship</b>	<b>City</b> Beverly Hills	<b>State or Foreign Country</b> California	<b>Country of Citizenship</b> U.S.A.
	<b>Post Office Address</b>	<b>Post Office Address</b> 3135 Hutton Drive	<b>City</b> Beverly Hills	<b>State &amp; Zip Code/Country</b> California 90210/U.S.A.

- ☒ Enclosed is a copy of the prior application; including the specification, claims, drawings, oath or declaration showing the applicant's signature, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 53 pages of specification, 71 claims, 1 page of abstract, 17 sheets of drawings, and 2 pages of oath or declaration.
- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☒ Amend the specification by inserting before the first line the sentence:  
"This application is a Divisional of application Serial No. 09/374,135, filed August 10, 1999, entitled 'BPC-1: A SECRETED BRAIN-SPECIFIC PROTEIN EXPRESSED AND SECRETED BY PROSTATE AND BLADDER CANCER CELLS', which application claims the benefit of U.S. provisional application number 60/095,982, filed August 10, 1998, now abandoned."
- ☒ Cancel original claims 6-15 of the prior application before calculating the filing fee.
- ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☒ The fee has been calculated as shown below in the "Claims as Filed" table.

## CLAIMS AS FILED

Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
<b>Basic Filing Fee</b>				\$355.00
<b>Total Claims</b>				
61	20	41	x \$9.00	= \$369.00
<b>Independent Claims</b>				
13	3	10	x \$40.00	= \$400.00
MULTIPLE DEPENDENT CLAIM FEE				\$135.00
TOTAL FILING FEE				\$1,259.00

- ☒ PTO-238 Credit Card Payment Form in the amount of \$1,259.00 to cover the Filing Fee is enclosed.

☒ A Verified Statement Claiming Small Entity was filed in parent application S/N 09/374,135.

☒ The Power of Attorney in the original application is to:

Kenneth K. Sharples, Reg. No. 35,355 of the Law Office of Kenneth K. Sharples, Point Reyes Station, California

☒ A copy of A Revocation and Power of Attorney as filed in parent application S/N 09/374,135 is enclosed.

☒ Additional Enclosures: Paper Copy of the SEQUENCE LISTING as filed in parent application 09/374,135, filed August 10, 1999

☒ Address all future communications to the Attention of Karen S. Canady at Gates & Cooper LLP, Howard Hughes Center, 6701 Center Drive West, Suite 1050, Los Angeles, California 90045, Telephone: (310) 641-8797.

☒ A return postcard is enclosed.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

Customer Number 22462

**GATES & COOPER LLP**

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, CA 90045  
(310) 641-8797

By: 

Name: Karen S. Canady  
Reg. No.: 39,927  
KSC/io

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Daniel E. Afar et al.	Assignee:	UroGenesys, Inc.
Serial No.:	09/374,135	Examiner	G. Nickol
Filed:	August 10, 1999	Group Art Unit:	1642
Docket:	129.18USU1		
Title:	BPC-1: A SECRETED BRAIN-SPECIFIC PROTEIN EXPRESSED AND SECRETED BY PROSTATE AND BLADDER CANCER CELLS		

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

UROGENESYS, INC., a corporation organized and existing under the laws of the State of California, having a place of business at 1701 Colorado Avenue, Santa Monica, California 90404, certifies that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of:

An assignment from the inventor(s), Daniel E.H. Afar, Rene S. Hubert, Kahan Leong, Arthur B. Raitano, Douglas C. Saffran and Aya Jakobovits to UroGenesys, Inc., of the patent application identified above. A copy of the Assignment is attached.

UroGenesys, Inc. owns 100% interest in the above-identified patent application.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, as the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 7/11/00

By: Aya Jakobovits  
Name: Aya Jakobovits, Ph.D.  
Title: Vice President, Research  
Chief Scientific Officer